

Judge in Mexican airline's bankruptcy case removed

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The bankruptcy judge handling the restructuring of Mexican airline Mexicana de Aviacion has been temporarily removed due to potential irregularities in the case, the Federal Judiciary Council, or CJF, said.

Felipe Consuelo Soto, who has overseen Mexicana's bankruptcy proceedings since they began two years ago, was the target of six complaints and denunciations filed by the airline's creditors.

"In particular, they claimed the judge made public pronouncements in favor of some parties in the proceedings," the CJF, which oversees Mexico's courts, said in a statement.

Consuelo Soto was to either oversee the airline's successful emergence from bankruptcy protection and resumption of operations or order its liquidation.

But the CJF's administrative and disciplinary organ opted to remove him from the proceedings "to preserve guarantees of impartiality amid recent public declarations," although it maintained the move should not be construed as a "judgment" on Soto's conduct from the bench.

In May, the Med Atlantica group acquired 95 percent of Mexicana, which suspended operations in 2010 due to its financial woes.

Med Atlantica is led by Spanish businessman Christian Cadenas, although 80 percent of the group's capital comes from Mexican investors.

The Mexicana group of airlines, also including sister budget carriers Click and Link, grounded its operations in August 2010 after nearly nine decades in business and filed for bankruptcy protection shortly thereafter to restructure a debt load of more than \$800 million.

The process has dragged on for two years and, although progress has been made in 2012, no concrete date has been set for the airline to resume operations.

In February, Med Atlantica deposited \$300 million and showed proof of its ability to recapitalize the airline.

The airline is expected to return to the skies this year with a staff of just 2,500 workers, meaning that severance packages still must be negotiated with the remaining 5,500 employees.

Early this month, the Mexican government asked Consuelo Soto to replace the conciliator and administrator in Mexicana's bankruptcy proceedings, Gerardo Badin, citing delays in getting the carrier back on sound financial footing.

The Communications and Transportation Secretariat suggested Jose Luis Stein-Velasco, who has held various government posts and is director of a legal and financial consulting firm, as a potential replacement. EFE

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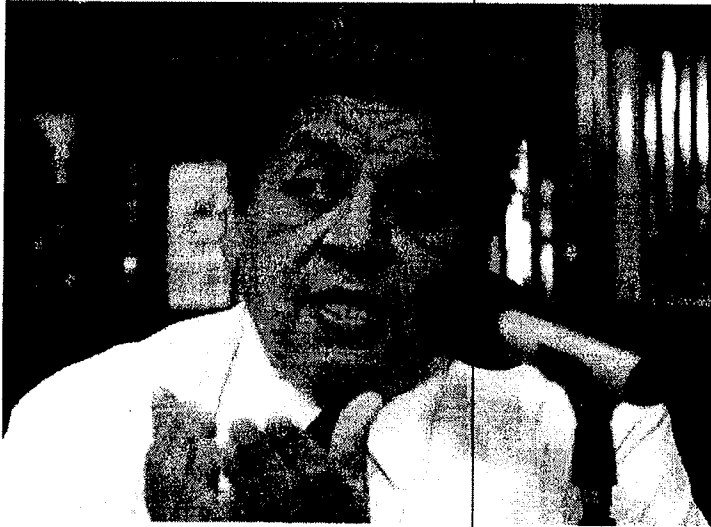
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Reubican a juez de Mexicana de forma temporal



El CJF informa que reubicó al juez Felipe V. Consuelo Soto, designado al concurso mercantil de Mexicana de Aviación. ARCHIVO

○ Tiene procedimientos administrativos e iniciados en su contra

La Judicatura Federal informa que la medida se toma debido a que existen seis quejas y denuncias promovidas por acreedores intervinientes en el concurso mercantil, en las que se acusa al juez de afectar la imparcialidad

CIUDAD DE MÉXICO (09/AGO/2012).- El Consejo de la Judicatura Federal informó hoy jueves que reubicó al juez Felipe V. Consuelo Soto, designado al concurso mercantil de Mexicana de Aviación, de manera temporal, para tramitar y resolver los procedimientos administrativos e iniciados en su contra.

En un comunicado, la Judicatura Federal informó que la medida se tomó debido a que existen seis quejas y denuncias promovidas por acreedores intervinientes en el concurso mercantil 432/2010, en las que se acusa al juez de afectar la imparcialidad.

Detalló que la acusación tiene su fundamento en la emisión de "opiniones subjetivas relacionadas directamente con la

posición de un determinado grupo de interesados dentro del propio concurso mercantil".

La Judicatura aclara que la reubicación es temporal y no afecta, ni se favorece a algunas de las partes que tienen interés jurídico en el concurso mercantil de Mexicana; de esta manera, "se preserva la imparcialidad que debe gozar todo juzgador".

Señaló que no califica el actuar del juez, ni prejuzga las conductas que se "le imputan y que eventualmente se le pudieran fincar".

Detalló que el juez Felipe Consuelo será reubicado a partir del 13 de agosto, como medida cautelar, en el juzgado Tercero de Distrito en Materia Civil con sede en la Ciudad de México, y en su lugar, en el Juzgado Décimo Primero de Distrito en Materia Civil se reubicará también temporalmente a la juez Edith Encarnación Alarcón Meixueiro, quien tiene 21 años de experiencia en la materia civil.

Esta noticia se puede consultar en: <http://www.informador.com.mx/economia/2012/396423/1/reubican-a-juez-de-mexicana-de-forma-temporal.htm>
IMPRESO: Jueves, 9 de Agosto de 2012

SUPERIOR COURT
(Commercial Division)
DISTRICT OF MONTREAL
No.: 500-11-039418-104

**IN THE MATTER OF THE JUDICIAL
REORGANIZATION PROCEEDINGS OF:**

**COMPANIA MEXICANA DE AVIACION, S.A.
DE C.V.**

Insolvent Debtor

and

MARU E. JOHANSEN

Foreign Representative/Petitioner

And

SAMSON BELAIR DELOITTE & TOUCHE

Information Officer

EXHIBIT R-2

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